

**Remarks**

The Examiner's Office action mailed July 19, 2006, which rejected pending claims 1-140, has been reviewed, and certain amendments have been made to the application. In view of the following remarks, Applicants respectfully submit that the application is in condition for allowance.

The Examiner rejected claims 24 and 54 under 35 U.S.C. § 112. Applicants corrected those claims.

The Examiner rejected claims 1-140 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,892,915, issued to Duso et al. ("Duso"), in view of U.S. Patent No. 7,065,042, issued to Pan ("Pan").

Applicants note the Examiner did not identify the particular drawing(s) and/or page(s) or paragraph(s) of the reference(s) that apply to the particular claim limitations for each of the claims. Particularly, the portions of the Duso patent relied upon by the Examiner are not specified, and the Examiner did not specify the page and line numbers in the Pan patent where each claim limitation of each claim purportedly is taught. The Examiner generally identified a reference number in Pan. Merely identifying the reference number of a component on a figure does not identify the portions of the cited reference that purportedly disclose the claim limitations. The claim limitations are not disclosed or taught by the figures of the cited references. Applicants contend the Examiner did not comply with MPEP 707 and 37 CFR 1.104(c)(2), and Applicants have not been accorded a fair opportunity to respond to the present action. Applicants therefore request that any future action be issued in compliance with MPEP 707 and 37 CFR 1.104(c)(2) as a non-final action and the Examiner specify the pages and lines in the cited references where each claim limitation is allegedly disclosed.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP 2142.

The Examiner must specify a motivation to make the claimed invention. MPEP 2144 The Examiner did not identify any suggestion or motivation to combine Duso and Pan for any claim. The Examiner did not identify any suggestion or motivation to modify the combination of Duso and Pan to reach the claimed limitations for any claim. The Examiner did not meet his burden and did not establish *prima facie* obviousness. Applicants request withdrawal of all rejections of all claims on this basis alone.

To establish *prima facie* obviousness of the claimed invention, all the claim limitations must be taught or suggested by the prior art. MPEP 2143.03. Regarding claims 1-140, the Examiner did not identify each of the claim limitations in the references, alone or in combination. For this reason, the Examiner did not meet his burden and did not establish *prima facie* obviousness.

The Examiner generalized multiple claim limitations together, without identifying the specific limitations and the locations in the reference or references in which the specific limitations are alleged to be taught or disclosed. The Examiner identified disclosure from cited references that is unrelated to the claimed invention and that does not identify the claimed limitations. For this additional reason, the Examiner did not meet his burden and did not establish *prima facie* obviousness.

Regarding claims 102, 1, 10, 45, 134, 3, 33, 34, 51, 53, 67, 11, 12, 13, 65, 80, and 97, the Examiner found that Duso discloses a system for streaming media to a viewer over a communications network comprising a server controller and a stream server, a client initiates a session for playback with the server, and the server fetches the data for streaming. The Examiner did not specify which claim limitations Duso purportedly meets.

Claim 1, for example, is directed to a stream routing processor configured to receive reservation data comprising a valid reservation identification and to transmit the valid reservation identification; and a stream caster configured to receive a reservation identification, to receive the reservation data identifying the valid reservation identification from the stream routing processor, to validate the reservation identification using the valid reservation data, and, if valid, to stream at least partially the requested media.

Claim 10, for example, is directed to a switch for streaming media. The switch comprises a stream routing processor configured to receive signaling inquiring if the switch can stream requested media, to determine if the switch is configured to stream the requested media, and, if

so to receive reservation data comprising a valid reservation identification; and a stream caster configured to receive a reservation identification, to receive from the stream routing processor the reservation data identifying the valid reservation identification, to validate the reservation identification using the valid reservation data, and, if validated, to stream at least partially the requested media.

Claim 102, for example, is directed to a switch for streaming media to a viewer comprising a stream caster configured to accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identification using a valid reservation identification; a stream routing processor configured to determine if the stream caster is configured to stream the requested media, and, if so, to receive reservation data comprising the valid reservation identification and to transmit the valid reservation identification to the stream caster; and a switch controller configured to monitor the stream caster and to notify the stream routing processor of a status of the stream caster.

Duso discloses a protocol and interface that allows a play-list to be edited. See Abstract, lines 1-3; Field of the Invention, column 1, lines 29-31; Summary, column 2, lines 47-48. A client application creates a session with a play list, edits the play list, and starts playing the play list. Column 2, lines 61-66. Commands may be issued to insert or delete media to or from the play list. Column 3, lines 1-6.

Duso does not disclose a switch for streaming media or any switch. Duso does not disclose a stream routing processor. Duso does not disclose a stream caster. Duso does not teach or disclose the claimed stream routing processor, stream caster, or switch. Duso does not teach or disclose a valid reservation identification or transmitting the valid reservation identification. Duso does not teach or disclose validating the reservation identification using the valid reservation. Duso does not teach or disclose any of the claim limitations in any independent claim.

It is unclear why the server controller and stream server in Duso were identified. The Examiner did not specify why these items were listed, what limitations are alleged to be disclosed in Duso, how the combination of these items and Pan can disclose the claimed limitations, and how any modification of Duso can be made. The Examiner did not provide a suggestion or motivation to modify Duso to meet any claim limitations, any suggestion or

motivation to combine Duso and Pan, and any suggestion or motivation to modify any combination of Duso and Pan. The portions cited in Duso do not meet any claim limitations.

Regarding Pan, the Examiner found that Pan discloses a switch for streaming media to a viewer over a network comprising a mechanism adaptor (19) and a network resource manager (26). The Examiner cited column 2, lines 20-25 and 32-34 and referred to reference numbers 19 and 26, but no other text for the claim limitations. The Examiner did not identify any column and line numbers that allegedly disclose the claim limitations. Applicants contend that no claim limitations for any independent claims and other claims referenced below are disclosed in Pan.

At column 2, lines 20-34, Pan states “Devices on a network may reserve network resources, such as bandwidth, on routers, switches, and the like, to accommodate packet traffic originating from those devices. The apparatus and methods described herein are employed to effect such reservations given inherent limitations of the network and availability of the resources. Referring to FIG. 1, a network 10 is shown. Network 10 is a differentiated services network, such as the Internet, although a non-differentiated services network also may be used. A differentiated services network is a network in which different types of data packets are given different levels of priority for transmission through the network. For example, electronic commerce packet traffic or real-time packet traffic, such as streaming video, may be given higher priority than other types of packet traffic.” Figure 1 shows devices 14 and 30 and network resource manager 11. Figure 2 shows mechanism adaptor 19 and engine 26 as components of the network resource manager 11. Thus, Pan states that streaming video is a type of packet traffic, and Pan states that a switch is a type of device on the network. See column 2, lines 21-22 and 32-33. Pan does not state that the switch streams video.

Further, it is clear from the cited portions and the figures that the network resource manager 11 is completely different than anything that could be considered a switch, the network resource manager 11 does not stream media, the mechanism adaptor 19 and the engine 26 are part of the network resource manager 11, and the mechanism adaptor 19 and the engine 26 are not a part of any switch or other component that streams any media. Pan discloses that the mechanism adaptor 19 and engine 26 are NOT in a switch for streaming media or in the devices 30 or 14.

The Examiner found that Pan discloses a mechanism adaptor 19 configured to accept a session from the viewer 14 to stream at least partially the requested media upon receiving and

validating a reservation identifier using a valid reservation identification (via allowance validator 21).

The mechanism adaptor 19 is a component of the network resource manager 11. See Figure 2. The network resource manager 11 does not stream media. The network resource manager 11 manages packet traffic over the network in accordance with specified rules to manage quality of service (QoS). Column 2, lines 35-38. The network resource manager 11 receives a service reservation from a service agent for a network service, such as bandwidth. Column 2, lines 45-47 and 60-61.

The mechanism adaptor 19 interacts with the engine 26 to monitor network devices and to install service reservations. Column 4, lines 43-44. The mechanism adaptor 19 removes cancelled reservations. Column 5, lines 17-18. If a reservation is due, engine 26 “passes the reservation to mechanism adaptor 19 for processing.” Column 5, lines 8-10. The mechanism adaptor 19 issues queries for device states and provides an interface for components in the network resource manager 11 that require device state and link data. Column 8, lines 17-20. The mechanism adaptor 19 also configures devices by installing IP traffic filters and other components on the network devices. Column 8, lines 20-27. For an active service reservation, the mechanism adaptor 19 maintains the state of devices. Column 8, lines 43-44. The mechanism adapter 19 also handles deactivation and deletion of service reservations. Deactivating and deleting service reservations involves removing reservations artifacts for the designated reservations from the network devices. Column 8, lines 43-48.

When a service reservation becomes due, engine 26 instructs mechanism adapter 19 to activate the service. Engine 26 provides mechanism adapter 19 with the list of devices affected by the reservation. Mechanism adapter 19 communicates with those network devices 14 to provide the network devices with the filters, flow identifiers, CoS parameters, and/or any other items that are required to implement the service. Column 8, lines 21-30. The mechanism adaptor 19 may install monitoring filters on a network device. Column 10, lines 60-62.

The mechanism adaptor 19 does not accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identifier using a valid reservation identification, as claimed by the Examiner. The mechanism adaptor 19 does not accept a session to stream media. The mechanism adaptor 19 does not stream any media. The

mechanism adaptor 19 does not accept a session. No media is streamed from any component in the network resource manager 11.

The mechanism adaptor 19 does not receive a reservation identifier. The mechanism adaptor 19 does not validate a reservation identifier using a valid reservation identification.

As shown in Figure 2, the allowance validator 21 is not a part of the mechanism adaptor 19. Pan states that the allowance validator 21 communicates with the authentication server 18 to determine whether or not the service agent is a valid entity and is allowed to make the reservation. Column 4, lines 10-13. Pan does not disclose anything about a valid reservation identification or validating a reservation identifier with a valid reservation identifier. Regardless, the allowance validator 21 is not in any switch or system that streams media.

The allowance validator 21 does not receive reservation data comprising a valid reservation identification and transmit the valid reservation identification, as claimed in claim 1. The allowance validator 21 does not receive signaling inquiring if the switch can stream requested media, determine if the switch is configured to stream the requested media, and, if so receive reservation data comprising a valid reservation identification, as claimed in claim 10. The allowance validator 21 does not accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identification using a valid reservation identification, as claimed in claim 102.

The Examiner further found that Pan discloses the network resource manager engine 26 is configured to determine if the resources are available and are configured to stream the requested media (resource validator 22), and if so, to receive reservation data comprising a valid reservation identification and transmit the valid reservation identification to the mechanism adaptor 19 that allocates the resource to satisfy the user request.

Nothing in Pan discloses validating a reservation identifier with a valid reservation identifier or transmitting or receiving data comprising a valid reservation identifier.

Applicants' claims are not directed to allocating resources or determining if resources are available and allocating resources. Applicants' claims are directed to determining if a switch is configured to stream requested media and streaming the requested media. Allocating resources like bandwidth (see column 2, lines 20-21 and Abstract) is not relevant to Applicants' above-referenced claims.

The engine 26 accepts a service reservation, which is a request for a particular network service, such as bandwidth. Column 4, line 30 and column 2, lines 60-61. The engine 26 accepts, extends, and deactivates service reservations. Column 4, lines 30-31. The engine 26 passes requested service reservations to the resource validator 22, scheduler, and mechanism adaptor. Column 4, line 56-column 6, line 11. Pan does not disclose that the engine 26 is configured to receive reservation data comprising a valid reservation identification and to transmit the valid reservation identification, as required by applicants claim 1. Pan does not disclose that the engine 26 is configured to receive signaling inquiring if the switch can stream requested media, to determine if the switch is configured to stream the requested media, and, if so to receive reservation data comprising a valid reservation identification, as required by applicants claim 10.

As shown in Figure 2, the resource validator 22 is not a part of the engine 26. The resource validator 22 interacts with the engine 26 to validate the availability of network resources. Column 4, lines 40-41. Applicants' claims are directed to streaming requested media, not bandwidth or other resources. It is irrelevant if the resource validator 22 validates whether or not bandwidth is available. The claims are directed to whether the switch is configured to stream the requested media. Regardless, the resource validator 22 is not in any switch or system for streaming media.

The Examiner found that the resource validator 22 is a switch controller configured to monitor the network resources to notify the network resource manager engine of the status of the resources in the system. The Examiner did not specify the particular claim to which this applies, but did identify it in the claim grouping for claim 102, etc. Claim 102 requires a switch controller configured to monitor the stream caster and to notify the stream routing processor of a status of the stream caster. Pan does not disclose a stream caster. Pan does not disclose monitoring a stream caster and notifying the stream routing processor of a status of the stream caster. If the Examiner believes otherwise, Applicants request that the examiner specifically identify each column and line number in Pan where this limitation is disclosed.

Specifically regarding claim 102, Pan does not disclose a switch for streaming media to a viewer comprising a stream caster configured to accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identification using a valid reservation identification. Pan does not disclose a stream routing processor

configured to determine if the stream caster is configured to stream the requested media, and, if so, to receive reservation data comprising the valid reservation identification and to transmit the valid reservation identification to the stream caster. Pan does not disclose a switch controller configured to monitor the stream caster and to notify the stream routing processor of a status of the stream caster.

The Examiner found that Pan therefore discloses the steps of monitoring system resources, receiving a request for a session, checking system resource availability, validating the reservation request, and allocating the required resources. This statement by the Examiner is not relevant to any independent claims and does not identify the limitations of any independent claims. Further, as noted above, the particular claim limitations are not disclosed.

Finally, the Examiner found it would have been obvious to modify the system of Duso in view of Pan, thereby enabling the system to accept advance reservation requests and validate the reservation in accordance with the valid reservation ID and system resource availability. This statement by the Examiner again does not identify any limitations of Applicants claims. Further, it is merely conclusory.

The Examiner must provide objective evidence and make specific factual findings with respect to the motivation to combine references. MPEP 2143.01. The Examiner must point to some concrete evidence in the record in support of these findings to satisfy the substantial evidence test. If the Examiner is relying on personal knowledge to support the finding of what is known in the art, the Examiner must provide an affidavit or declaration setting forth specific factual statements and an explanation to support the finding. See 37 CFR 1.104(d)(2). MPEP 2144.03(C).

None of the references alone or in combination disclose, teach, or suggest these limitations. If the Examiner believes otherwise, Applicants request the Examiner to identify the specific column and line numbers where this limitation is disclosed in accordance with MPEP 707 and 37 CFR 1.104(c)(2) and any motivation to combine references and any motivation to modify the references for this limitation in accordance with MPEP 2141-2144 et seq.

The Examiner did not identify any suggestion or motivation to combine Duso and Pan for any claim. The Examiner did not identify any suggestion or motivation to modify the combination of Duso and Pan for any claim. The Examiner did not identify any suggestion or

motivation to modify Duso or Pan separately for any claim. The Examiner did not make a *prima facie* case of obviousness. Withdrawal of the rejections are requested.

Regarding claims 103, 135, 76, 106, 69, 71, 73, 78, and 104, the Examiner referred to the rejection under claim 102. Applicants have shown the reasons why claim 102 is patentable. The rejections under these claims are patentable for the same reasons, depending on the claim, and because no motivation or suggestion to combine was identified, and no suggestion or motivation to modify the combination was identified.

Further, the examiner found that the modified system of Duso in view of Pan comprises a media server (20), a signal proxy for accepting a session based on validating a reservation ID received from the viewer and communicating signaling between the viewer and the media server if the session is accepted (allowance validator 21), and a stream proxy configured to transmit media streamed from the media server to the viewer (in the streaming server). The Examiner did not identify any column or line numbers for this rejection and did not identify any evidence of the rejection. The Examiner did not comply with MPEP 2141-2144 et seq. Withdrawal of the rejection is requested.

Item 20 of Pan is not a media server. It is a scheduler, and it schedules reservations for future action. See Figure 2. See column 5, lines 7-8. The allowance validator 21 was described extensively above. It does not accept a session based on validating a reservation ID received from a viewer or communicate signaling between the viewer and a media server. Nothing in Pan discloses this function. The allowance validator 21 is not a part of or associated with any media server.

The examiner does not identify any figure, reference number, or column or line for the alleged streaming server, and Applicants allege it does not exist. Pan does not even mention a streaming server. The Examiner's comments are merely conclusory. To the extent the Examiner disagrees, Applicants request the Examiner specifically identify the column and line numbers in Pan that disclose this limitation. Pan does not disclose the claimed media server, the claimed signal proxy, or the claimed stream proxy.

Regarding claims 130 and 72, the Examiner found the claims to be rejected for the same reasons as claim 102. The Examiner further found that Pan discloses terminating an attempted session to stream requested media upon receiving and invalidating a reservation identifier using a valid reservation identifier and cited column 6, lines 25-35. The claims are patentable for

reasons stated above with respect to claim 102. Further, Pan does not disclose the terminating step. Column 6, lines 25-35 states “If the requester fails authentication (56) or authorization (60), allowance validator 21 informs (64) engine 26 that the reservation is not valid. The reservation is then not made. Alternatively, the reservation may be queued for later authorization and validation. When a service reservation is terminated (FIG. 7B), either at completion of the service, through user cancellation, or through failure to pass resource validation (see below), engine 26 informs allowance validator 21 that the reservation is to be removed.” This provision does not disclose the step of “terminating an attempted session to stream requested media upon receiving and invalidating a reservation identification using the valid reservation identification” as required by Applicants claims. Pan does not disclose validating or invalidating a reservation identification using the valid reservation identification. Further, no suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Regarding claim 131, the Examiner’s statement is conclusory. Column 4, lines 52-62 describe the allowance validator 21 and the resource validator 22, which were discussed above. The allowance validator and the resource validator do not validate a reservation identification using the valid reservation identification, as explained above. Pan does not disclose a method for streaming media from a switch comprising receiving at a stream caster reservation data comprising a valid reservation identification. Pan does not disclose not terminating an attempted session to stream requested media upon receiving and invalidating a reservation identification using the valid reservation identification. The Examiner did not provide a motivation or suggestion to combine or a motivation or suggestion to modify.

Claims 132, 107, 133, 28, 29, and 108 are patentable for the reasons discussed above. The Examiner did not provide a motivation or suggestion to combine or a motivation or suggestion to modify.

Regarding claims 137, 136, 138, and 139, the Examiner referenced Figure 16 of Duso. Figure 16 of Duso does not specify parallel sessions. Duso does not specify simultaneously streaming parallel sessions. The Examiner did not provide a motivation or suggestion to combine or a motivation or suggestion to modify.

Regarding claims 2 and 79, stream casters are not identified. The Examiner’s statement is conclusory.

Regarding claims 7, 30, 58, 126, 127, 128, and 129, the Examiner's statement is conclusory. The Examiner does not state where the limitations are disclosed. Neither Pan nor Duso disclose creating or transmitting an information block. Further, the Examiner has not construed this claim term in accordance with the specification as required by the MPEP. Specifically regarding claim 7, neither Pan nor Duso, alone or in combination, disclose, teach, or suggest wherein the stream caster further is configured to transmit at least one information block comprising the reservation identification and at least one member of a group comprising a session initiation, a session termination, and a viewing event for a session.

Regarding claim 9 and 55, the Examiner's statement is conclusory. The Examiner does not state where the limitations are disclosed. Neither Pan nor Duso disclose any state model. Further, the reservation state model of claims 9 and 55 require the reservation identification, which is not disclosed.

Regarding claim 21-23, 46, 47, 49, 50, 54, 56, 63, 66, 93, 94, 98, 99, 100, and 101, the Examiner's statement is conclusory. For example, Pan does not disclose wherein the stream routing processor determines that the stream caster is configured to stream the requested media and the stream routing processor is configured to transmit the reservation data to the stream caster and to transmit an acknowledgement to a routing processor, as required in Applicants' claim 22. Pan does not disclose wherein the stream routing processor further is configured to transmit a message to the stream caster, to receive a response from the stream caster, and to process the response to determine if the stream caster is configured to stream the requested media, as required by Applicants' claim 23. Pan does not disclose wherein the stream routing processor comprises a switch load controller configured to communicate with a resource manager to determine if the stream caster has a resource available to stream the requested media, as required by Applicants' claim 49.

Regarding claims 26, 44, 120, 122, and 41, Applicants traverse this rejection. The Examiner did not find that internet based communication are the same as out-of-band signaling.

Applicants do not agree with any statement of official notice or that any combination of components renders any claim herein obvious. Applicants specifically challenge the combination of the officially noticed items with Pan and Duso in an attempt to reach Applicants' claimed limitations. For example, Applicants do not dispute that set top boxes or FTP exist. Applicants dispute any attempted combination without a motivation or suggestion to combine

and without properly meeting the requirements of the MPEP. Applicants do dispute that it is well known for a media server, media switch, switch, or method for streaming media with the respective claimed limitations to find another streaming server or switch if the server, switch, or method cannot stream the media and that signaling for internet systems are in-band or out-of-band and request evidence of the same.

Since the examiner did not provide a motivation or suggestion to combine or modify for any base claim or any claim for which the Examiner took official notice, Applicants need not specifically respond to the rejections of those claims since the Examiner did not make a *prima facie* case of obviousness. However, Applicants do not agree to any statement of official notice without meeting the requirements of MPEP 2144.03 and other relevant portions of the MPEP therefore and traverse the same. Applicants request evidence that any combination is rendered obvious and the requirements of MPEP 2142-2144 et seq. be met.

Many of the rejections did not identify citations to Duso or Pan identifying the columns, lines, or figures where the claim limitation was purportedly disclosed. Applicants traverse the rejections of these claims.

Regarding claims 42 and 24, Duso does not disclose a reservation or a reservation system. It cannot and does not disclose wherein the reservation data comprises a play list.

Regarding claims 112 and 113, column 2, line 62-column 3, line 3 of Pan discloses types of data that can be included in a reservation. It does not disclose comprising receiving the reservation identification at an address of the stream caster and, if validated, accepting the session at the address.

Regarding claims 114-116, Pan does not disclose receiving any messages at a stream caster.

Applicants submit that the above-referenced claims are allowable for the reasons discussed above. Withdrawal of the rejections is requested.

The remaining claims and claim rejections are dependent claims. Because these claims depend directly or indirectly from the base claim and include all of the limitations of the base claim, which are believed to be patentable, these claims also are believed to be allowable. Additional patentable limitations need not be discussed. Withdrawal of the rejections of these claims respectfully is requested.

None of the references alone or in combination disclose, teach, or suggest these limitations. If the Examiner believes otherwise, Applicants request the Examiner to identify the specific column and line numbers where this limitation is disclosed in accordance with MPEP 707 and 37 CFR 1.104(c)(2) and any motivation to combine references and any motivation to modify the references for this limitation in accordance with MPEP 2141-2144 et seq.

Regarding claim 1, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream routing processor configured to receive reservation data comprising a valid reservation identification and to transmit the valid reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream caster configured to receive a reservation identification, to receive the reservation data identifying the valid reservation identification from the stream routing processor, to validate the reservation identification using the valid reservation data, and, if valid, to stream at least partially the requested media. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a *prima facie* case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the system of Applicants' claim 1. Applicants submit that claim 1 is allowable. Withdrawal of the rejection is requested.

Because claims 2-9 depend directly or indirectly from claim 1 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 2-9 respectfully is requested.

Regarding claim 10, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a switch for streaming media to a viewer comprising a stream routing processor configured to receive signaling inquiring if the switch can stream requested media, to determine if the switch is configured to stream the requested media, and, if so to receive reservation data comprising a valid reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream caster configured to receive a reservation identification, to receive from the stream routing processor the reservation data identifying the valid reservation identification, to validate the reservation identification using the valid reservation data, and, if validated, to stream at least partially the requested media. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify

the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a prima facie case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the system of Applicants' claim 10. Applicants submit that claim 10 is allowable. Withdrawal of the rejection is requested.

Because claims 11-44 depend directly or indirectly from claim 10 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 11-44 respectfully is requested.

Regarding claim 45, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream caster configured to accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identification using a valid reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream routing processor configured to determine if the stream caster is configured to stream the requested media, and, if so, to receive reservation data comprising the valid reservation identification and to transmit the valid reservation identification to the stream caster. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a prima facie case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the system of Applicants' claim 45. Applicants submit that claim 45 is allowable. Withdrawal of the rejection is requested.

Because claims 46-101 depend directly or indirectly from claim 45 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 46-101 respectfully is requested.

Regarding claim 102, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a switch for streaming media to a viewer comprising a stream caster configured to accept a session from the viewer to stream at least partially the requested media upon receiving and validating a reservation identification using a valid reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream routing processor configured to determine if the stream caster is configured to stream the requested media, and, if so, to receive reservation data comprising the valid reservation identification and to transmit the

valid reservation identification to the stream caster. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a switch controller configured to monitor the stream caster and to notify the stream routing processor of a status of the stream caster. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a *prima facie* case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the system of Applicants' claim 102. Applicants submit that claim 102 is allowable. Withdrawal of the rejection is requested.

Regarding claim 103, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a switch for streaming media to a viewer comprising a streaming device comprising a media server configured to stream at least partially the requested media for a session. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a signal proxy configured to accept the session based on validating a reservation identification received from the viewer and to communicate signaling between the viewer and the media server if the session is accepted. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a stream proxy configured to transmit media streamed from the media server to the viewer. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a *prima facie* case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the system of Applicants' claim 103. Applicants submit that claim 103 is allowable. Withdrawal of the rejection is requested.

Because claims 104-106 depend directly or indirectly from claim 103 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 104-106 respectfully is requested.

Regarding claim 107, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a method for streaming media from a switch comprising determining if a stream caster is configured to stream requested media. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, receiving reservation data comprising a valid reservation identification

at the stream caster cation. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, accepting a session to stream at least partially the requested media upon receiving and validating a reservation identification using the valid reservation identification. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a prima facie case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the method of Applicants' claim 107. Applicants submit that claim 107 is allowable. Withdrawal of the rejection is requested.

Because claims 108-129 depend directly or indirectly from claim 107 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 108-129 respectfully is requested.

Regarding claim 130, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a method for streaming media from a switch comprising receiving at a stream caster reservation data comprising a valid reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, terminating an attempted session to stream requested media upon receiving and invalidating a reservation identification using the valid reservation identification.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the method of Applicants' claim 130. Applicants submit that claim 130 is allowable. Withdrawal of the rejection is requested.

Because claim 131 depends from claim 130 and includes all of the limitations of the base claim, which is believed to be patentable, this claim also is believed to be allowable. Withdrawal of the rejections of claim 131 respectfully is requested.

Regarding claim 132, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, a method for streaming requested media from a switch comprising receiving signaling inquiring if the switch is configured to stream the requested media. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, determining if the switch is configured to stream the requested media, and, if so, acknowledging the inquiry. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, receiving reservation data comprising a valid

reservation identification. Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, validating the reservation identification using the valid reservation data, and, if validated, streaming at least partially the requested media. No motivation or suggestion to combine Duso and Pan was identified by the Examiner. No motivation or suggestion to modify the combination of Duso and Pan was identified by the Examiner. The Examiner has not made a *prima facie* case of obviousness.

Neither Duso nor Pan disclose, teach, or suggest, alone or in combination, the method of Applicants' claim 132. Applicants submit that claim 132 is allowable. Withdrawal of the rejection is requested.

Claims 133-134 are patentable for the reasons identified above. The claim limitations of the methods were not identified by the Examiner. No suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Claim 135 is patentable for the reasons identified above. Further, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, proxying media streamed from the media server to the viewer or proxying signaling between the viewer and the media server if the session is accepted. No suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Claim 136 is patentable for the reasons identified above. Further, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, accepting a plurality of parallel sessions to simultaneously stream at least partially the requested media. No suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Claim 137 is patentable for the reasons identified above. Further, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, streaming simultaneously in a plurality of parallel sessions at least partially the portion of the requested media. No suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Claim 138 is patentable for the reasons identified above. Further, neither Duso nor Pan disclose, teach, or suggest, alone or in combination, streaming simultaneously in a plurality of parallel sessions at least partially a portion of the requested media. No suggestion or motivation to combine and no suggestion or motivation to modify the combination was identified.

Because claims 139-140 depend directly or indirectly from claim 138 and include all of the limitations of the base claim, which is believed to be patentable, these claims also are believed to be allowable. Withdrawal of the rejections of claims 139-140 respectfully is requested.

Because the independent claims are believed patentable, it is not necessary to discuss the patentable limitations of claims depending there from, the references, or the rejections. The lack of a discussion of the patentable limitations of those dependent claims should not be construed to mean that there are not patentable limitations in those dependent claims.

Further, all reasons for patentability of the independent and dependent claims have not necessarily been discussed herein. No implication or construction should be made therefore.

Applicants have no further remarks with regard to any references cited by the Examiner and made of record, whether or not acted upon by the Examiner in the action's rejections, even if specifically identified in the action or any other paper or written or verbal communication. No implication or construction should be drawn about any review of the same by Applicants or Applicants' attorney.

Based on the foregoing, it is submitted that the Applicants' invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicants' attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding the response or the application.

This is intended to be a complete response to the Examiner's Office action mailed on July 19, 2006.

Respectfully Submitted,

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